Business in War Convention Invites Labor to Full Cooperation.

FARMER AS A PROFITEER

Real Beneficiary Is Agriculturist, Who Makes Billions, Untaxed, Says Watts.

fore the full convention to-morrow for

fore the full convention to-morrow for final adoption.

The action was taken after a stirring speech by Secretary of Labor Wilson, who declared that the spirit of unrest among laboring men was due in large measure to the general impression that business has been making excessive profits in which labor has not shared.

"Has it never occurred to you business men," Secretary Wilson asked. "that the story has gone forth that you are not patriotic; that you have been profiteering? And did it never occur to you that the working man has said to himself he will insist on getting his share of the swag? My position is that there should be no 'swag' to divide between you.

Special Desputch to The Sun.

"I have said to labor that this is no "I have said to infor that this is no time to insist on changes in labor on time to insist on changes in labor on time to insist on changes in labor ence report on the \$11,528,000.000 bond standards. But I also want to say to bill was adopted unanimously in the

That no attempts be made by business

take war bonds heavily and meet the needs of industrial expansion at the

The real war profiteer is the farmer The farmer is the one man whom no

tax has reached. He is the real capitalist instead of the banker. In the first ten months of 1917 the farmer has made war profits in excess of the pre-war ten months of six and a half billion dollars. Yet no serious attempt has been made to tax him. He is willing to bear his share of the burden, I know, but he has been spotled." The section on export control recom-

mended that the Government be urged to maintain enough tormage in the South American trade to insure the free flow of trade in that section and that ma-chinary be established to expedite the

Speakers included John D. Ryan. George E. Roberts, F. I. Kent, Charles B. Boynton and S. R. Bertron of New York and John Clausen of San Fran-

WOMAN SOLDIER TOO SPEEDY. Motor Corps Member Fined for

Dash Along Broadway. Only a few years ago if a young woman had marched up to a Magistrate and riven her occupation as "soldier in the United States Army" the court would have called an insanity expert, but it was taken as a matter of course in these days of new womanhood when Virginia Chandler, 30 years of age, calmly an-nounced her martial occupation in the

Private Chandler of the motor corps There was no excuse for my speeding, said the amazonian defendant. "I was not engaged in any work that re-

quired unusual speed." I commend your frankness," said the court, "and will fine you \$25, which is the lowest speeding fine."

Private Chandler saluted the court, consulted the Lisle Thread Bank and paid the fine.

NEUTRAL SHIPS TO AID U. S.

Vessels for South American Trade Not to Be Seized.

Special Despatch to TES SEN. VARHINGTON, Sept. 20.—Neutral ships up in American waters will be made available for the world trade without the necessity of commandering by
the American Government. There are
some 400,000 tone of neutral shipping
iffe in American ports, practically all
of it held up because of American axsort regulations. Of this amount about
250,000 is owned by the Dutch. Despite
an agreement by the Shipping Board.
the Administrative Board of the Exporis
Control and the Food Administration.
that the United States has authority to
commander these vessels, it was learned
to-night that no such drastic action will
be taken.

U-BOATS BAFFLED BY USE OF SMOKE TO AVERT STRIKES New Devices Reducing British

Lowbon, Sept. 20.—The Press Associa-tion hears on high naval authority that the new defenaive measures against submarine warfare are meeting with success, justifying the hope of a fur-ther reduction in the losses, and says it can be stated on official authority that the results of the methods adopted in the last month give cause for growing confidence.

According to an Admiralty statement dozens of ships have been saved by the smokebox system which the Admiralty during the last few months has supplied to a majority of British merchantmen.

Special Cable Desputch to THE SUN from the London Times.

ATLANTIC CITY. Sept. 20.—Cooperation of labor in assuring the Government that the production of supplies will not be halted by strikes or lockouts during the war was invited by American industry to-day in resolutions approved by the supplies with the Times. "This may have become necessary because the Germans now have to provide their submarines with have to provide their submarines with have to provide their submarines with Industrial Relations Section of the War Convention here of American business men. The resolutions will be put be-

ties to insist on abnormal profits at to-morrow with final enactment. The bill passed the House on September 3 and the Senate six days later. The conferees reached an agreement yesterday as defined in the resolutions approved is a follows:

The posterior abnormal profits at to-morrow with final enactment. The bill passed the House on September 3 and the Senate six days later. The conferees reached an agreement yesterday was only of fifteen minutes duration.

The bill authorizes 34,000,000,000 of mew bonds for Allies' loans \$25,28,000.

That no attempts be made by business to change labor conditions and that labor make no efforts to force union recognition or changes in standards.

That there be no profiteering in business to give rise to labor unrest.

That business recommend to the Government creation of a Government board representing labor, capital and the public to settle all major disputes and that the board's decisions be binding on both sides.

That industry call on labor to coperate in making & plain there will be no strikes or lockouts while adjustments are being made.

That Government employment agencies be developed and extended by Congressional appropriation.

That industry institute a study of conditions locking toward the alleviation of conditions during times of industrial depression.

As originally drawn the resolutions in the opinion of some members of the conference, sought to dictate to labor in demahding compulsory arbitration of disputes. This suggestion was opposed to vigorously that as the resolutions were approved they leave it to labor to disputes. This suggestion was opposed to submit differences to the adjustment board that would be created.

Won't Dictate to Labor.

Won't Dictate to Labor.

"We are not here," R. G. Rhett of Charleston, S. C., president of the Chamber of Commerce of the United States, declared, "to say what either labor or capital shall do. For us to presume that would be to miss the entitle of this convention. We are like a pilit of this convention. We are

tire spirit of this convention. We are here to improve conditions, not to dictate to any one."

The next bond issue may fall, said Prof. W. A. Scott of the University of Wisconsin, because of the failure of Prople generally to realise their part of the Government's financial responsition. States but of the inability and the inability of the banks to take war honds heavily and the inability to a maximum slightly less than 6 cents a maximum slightly less than 6 cents and additional zones with the increase the rate fractionally to a maximum slightly less than 6 cents a pound.

The House has yielded to the Senate in operation. As our cabl gency we must trust in the President. But Senator Weeks pursued him.

"Here we are going to expend \$21, 000,000,000 this year. Every messenge to be coming to the Capitol with an es-timate of more money needed. I would like to know if there is any concerted plan and policy to govern these ex-penditures. De we give money to any one who asks for it or only where it is

not needed?"

Benator Stone replied that the money
was expended for war uses where the
President considered it to be most advantageous, and "the Senator from Massachusetts knows that," he an-

swered.
"I do not know it," retorted Sension "Then the Senator from Massachu setts should seek his information from the proper sources, from the Executive branch of the Government," Senato Stone said, and the subject was dropped

WOOL CONSERVATION PLEDGED. Supplies to Army.

Woollen goods manufacturers unan Woolen goods manufacturers unanimously pledged their support to the Government in the conservation of wool yesterday at a meeting at the Woolen
Goods Exchange in the Metropolitan
Building. A committee was named to
meet representatives of the Federal
Committee on Supplies and the Commercial Economy Board of the Council of
National Defence at Washington next
Wednesday.

Wednesday.

At the Washington conference a programme will be outlined by which supplies intended for civilian use will be directed to channels supplying the needs of soldiers and sailors. The programme will be passed upon later at a general section in New York of the country's meeting in New York of the country' textile manufacturers.

QUEBEC SPAN COMPLETED.

reat Cantilever Section Pinally

150 feet from pontoons on the St. Lawrence River.

An effort last year to raise a similar a
span resulted in disaster, when the link allpped from its supports, causing fourteen deaths, and in 1907 a bridge in the
same place collapsed when it was practically complete, killing seventy.

The successful completion of the
bridge will mean the fulfilment of a
fifty years engineering dream. It will
be some months before trains can be
ren. The running time between Hallfax and Winnipeg will then be reduced
half a day.

Philadelphian Killed by Torpedo. London, Sept. 20.—Harry Shinn of Philadelphia, an American citisen, was blown to pieces when a torpedo fired by a German submarine hit a British ship. Two British subjects were killed at the same time.

WAR PROFITS HOLD UP REVENUE BILL

Question of Rate Per Cent. of Individual Exemption Proves Snag.

FIGHT OVER "CAPITAL" LABOR SHORTAGE ALSO

Definition of Word Causes Call of the Signal Corps and Row-Excess May Go to \$1,500,000,000.

WASHINGTON, Sept. 20.—Conferees on the war revenue bill while nearer solution of their problem than

At one time to-day the suggestion was advanced and given serious considera-

the conference dissolves.

A meeting of the House Ways and Means Committee, which drew the original bill, was called for to-morrow to discuss the situation, and some Western and Southern members of the committee announced that they would demand an increase in the Senate excess war profits figures from \$1.000 0000 to \$1.000. figures from \$1,060,000,000 to \$1,500,-

It was explaine dthat the Ways and Means Committee would try to induce the conferees to accept the larger figure, but shoul dthis fail high tax advocates declared they would carry the contest to the floor of the House. They said that recent announcements that approximately \$2,500,000,000 more money will be needed this year than provided makes it certain that unless a start is made now to further increase taxes, the counnow to further increase taxes, the coun

Practically the entire bill is now agreed upon, with the exception of this one vital controversial point. The Senate conferees to-day accepted a new postal rates section which applies at much lower rates than these provided either in the House bill or the McKellar amendment accepted and then defeated the rate will be 1 cent a pound as at present in a zone of the radius of 250 of the French Telegraph Cable Comment sone, the limits of which were an ext sone, the limits of which were an union cables. There are eight Western Union cables. The Commercial Cable

of the recent storms which have shaken

POSTAL MEN NOW IN A. F. L.

Gompers Not to Abuse Power. Thousands of postal employees and emerican Federation of Labor as a re-

Rankin of Montana, Mr. Flaherty and John Deviny of the Plate Printers Union addressed the meeting. Mr. Gompers warned the new federationists not to abuse their power. So far as is known this is the first affiliation of Govnment workers with the A. F. of L. W. J. Coyne, United States Labor De-artment; W. E. Junker, United States Immigration Service; John Fitsgerald, United States Engine Department, and Edward F. Markoff, Brooklyn navy yard, were the delegates from New York, The Federal union has 15,000

GIRL'S SLAYER RESTS EASY.

Mary Cattone, Who Shows Little

Belted Inte Place.

Queszo, Sept. 20.—The central span of the Quebec cantilever bridge was bolted into place this afternoon, linking the arms of the Iargest bridge of its kind in the world. The hoisting operation began Monday morning, and the span; which weighs 5,000 tons, was lifted by dydraulic jacks a distance of 150 feet from pontoons on the St. Lawrence River.

An effort last year to raise a similar span resulted in disaster, when the link slipped from its supports, causing four-tien deaths, and in 1907, a bridge in the Emotion, Called Insane.

hearsals, but that he had never seen or talked with her alone.

KICKING BEGGAR BREAKS LEG.

WAR MAY RESTRICT USE OF THE CABLES

Land Wires Also Feel Increase of Government Messages, Which Have Precedence.

a solution of their problem than twenty-four hours ago are in a tangle over the war profits section of the measure. The question of the definition of what shall constitute "capital" in the setting forth of the law for the guidance of the bureau of internal revenue and the question of the rate per cent. In the question of individuals, firms and of exemption of individuals, firms and corporations as to taxable profits under ence by cable grows rapidly. Just how long the telegraph companies can conand the question of the rate per cent of exemption of individuals, firms and corporations as to taxable profits under the provisions of the forthcoming law are both in controversy.

The House is holding out for acceptance by the Senate of the Ways and Means Committee's definition. The Senators adhere to their own plan. Meanwhile compromises have been suggested and a group of legislators, not members of either committee, have urged the incorporation in the present bill of the definition advanced in the Bankhead amendment to the bill introduced while the measure was yet before the Senate.

Plan for Agreement.

At one time to-day the suggestion was advanced and given serious considerations in the provision of the companies can continue the unlimited service at present in force no official is prepared to say. They insist, however, that their lines are not being used to capacity and that they do not look for a limitation on commercial business for several months at least.

Business interests have felt already the shortage in Morse code telegraph operators, occasioned by the war. Traffic managers of the companies can continue the unlimited service at present in force no official is prepared to say. They insist, however, that their lines are not being used to capacity and that they do not look for a limitation on commercial business for several months at least.

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Business interests have felt already the shortage in Morse code telegraph operators, occasioned by the war. Traffic managers of the companies confess that the growing demands of the Signal Corps and the inroads made by the selective draft have forced them to retrench in th

"I have said to labor that this is no time to insist on union recognition and no time to insist on changes in labor standards. But I also want to say to you employers that this is no time to stand on your prejudices, no time to insist on prefiteering. You should not take advantage of your country's necessities to insist on abnormal profits at this time."

Attitude to Labor Defined.

The attitude of industry toward labor as defined in the resolutions approved is as defined in the resolutions approved is and the discussion in the Senate to-day and an agreement yesterday was only of fifteen minutes duration.

That no attempts be made by business.

Special Despatch to The Sux.

Washington, Sept. 20.—The conferded and given serious consideration that the conferees work out all their other points of conflict and report back to their respective houses a disagree-to the long that the conferees work out all their other points of conflict and report back to their respective houses a disagree-to the the conference work out all their other points of conflict and report back to their respective houses a disagree-to the telegraph companies also will be to their respective houses a disagree-to the conference work out all their other points of conflict and report back to their respective houses a disagree-to the telegraph companies also will be to their respective houses a disagree-to the conference work out all their other points of conflict and report back to their respective houses a disagree-to the conference work out all their other points of conflict and report back to their respective houses a disagree-to the conference work out all their other points of conflict and report back to their respective houses a disagree-to the former on the war profits programme. The followed the suggestion that complete agreement was the solution which the country was expecting on the war profits at the country was expecting on the war for Federal messages are sent revenue bill and a duty which the conference was finally and a duty which t

You must remember that there are nov eight or nine codes for users of the cable. Naturally all Government matter is in code. And it is surprising how much you can say in a few words when using

May Restrict Private Messages. Another official of the company said: 'It is possible that Americans abroad

will not be allowed to use the cable as nuch as they may wish. There are several reasons for this. Since virtually all cable messages are sent in code, the greater the traffic, the more strenuous will be the work of censors, because every mes-sage will be decoded before being sent. The American soldier and his officers, for that matter, will not be located the fancy strikes them. The Govern-ment messages take precedence over all other business, which will hold back some cablegrams, no doubt, and not as a discouraging factor in preventing the filing of many relatively unimportant

next sone, the limits of which were all union cables, five Commercial Cables nounced, will add one-quarter of 1 cent to the pound rate and additional zones to the pound rate and additional zones in operation. As our cables are the only will increase the rate fractionally to a two directly connecting America with will increase the rate fractionally to a two directly connecting America with maximum slightly less than 6 cents a pound. The House has yielded to the Senate is not high, but we are not complaining. They are there as the personal reputation of the senate is not high, but we are not complaining they are there as the personal reputations of the President with a prepared to help in resentatives of the President with a prepared to help in resentatives of the President with a prepared to help in the prepared t

the conference is questioned even by the it is true, and business is held up when more optimistic of the legislators. There is too much bad blood in evidence, too much bad blood in evidence, too wires. This is only to be expected. The vanced to undue prominence, it is said, business for some time to come."

An official of the Marconi Telegraph agreement will withstand the shocks of Cable Company said: "There is no transagreement will withstand the snocks of controversy until the signatures of the managers have been affixed to the conference report and the subject matter the only means for communication which thereof is on its way to the two houses, which must accept or reject it.

Cable Company said: There is no trained attantic wireless to-day. The cable is managers have been affixed to the only means for communication which is proof against tapping. If a rush of business swamped the cable companies it is possible that the Government would be appeared. use wireless in handling messages, knowledge of which would be valueless to

the enemy."

W. N. Fashbaugh, traffic manager of the Western Union, in discussing labor conditions, said: "We are retrenching in

ployees Union, said the merger has been attempted repeatedly in the past eleven years but has always been defeated by Government opposition.

Samuel Gompers, president, and Frank Morrison, vice-president, of the American Federation of Labor; Miss Jeannette Rankin of Montana, Mr. Flaherty and John Deviny of the Plate Printers

Incre is a decided shortage in the number of operators available. We are helping in training operators in some twenty-five schools in the United States. The needs of the army are many. The National Army has taken many of our men by draft. On the other hand, some brokerage houses which carried on operators available. We are helping in training operators available. We are helping in training operators in some twenty-five schools in the United States. The needs of the army has taken many of our men by draft. On the other hand, some twenty-five schools in the United States. The needs of the army has taken many of our men by draft. On the other hand, some twenty-five schools in the United States. The needs of the army has taken many of our men by draft. On the other hand, some twenty-five schools in the United States. The needs of the army has taken many of our men by draft. On the other hand, some twenty-five schools in the United States. by the Government, have released opera-tors. Brokers in most instances employ their own operators. If the Government needs telegraph operators, however, it is possible that these men may be called out and the brokers forced to obtain their "All telegraph companies are harpressed to keep pace with the conditions war has thrust upon us, but I am con-vinced that they will meet the demands

> ADAMSON TO SERVE AS APPRAISER HERE Georgian Said to Have Had Eye on I. C. C. Post.

> Special Despatch to Tan Sun. Washington, Sept. 20. — President Wilson sent to the Senate to-day the nomination of Representative William C.

nomination of Representative William C. Adamson of Georgia to be a member of the Board of General Appraisers at New York city. The appointment is for life and pays \$9,000 a year.

In naming Judge Adamson the President is believed to have relieved himself of some embarrassment caused by the efforts of some of Judge Adamson's friends to get him named for one of the three vacancies on the Interstate Commerce Commission. Judge Adamson is said to have been ambitious to land one of these places, believing that his work of these places, believing that his work as chairman of the House Interstate Commerce Committee entitled him to it. Injured in Resenting Refusal of Emery.

By Louis, Espt. 20.—The prise hard luck story in this town is that of a mendicant with no permanent address when dicant with no permanent address when tried to mooch a five cent piece from an Olive street merchant.

When the beggar's demand was refused he kicked the merchant and then prompted up on the sidewalk. At the Emergency Hospital it was discovered that the beggar had broken his right les.

Commerce Committee entitled him to it. The President is reported to have felt that some of Judge Adamson's views on railroad matters were rather too radical to fit him for such a place and to have heen greatly relieved when Judge Adamson has served twenty years in the House and was the author of the interstate commerce commission bill and many other famous measures, once of the most recent being the railroad matters were rather too radical to fit him for such a place and to have heen greatly relieved when Judge Adamson has served twenty years in the House and was the author of the interstate commerce commission bill and many other famous measures, once of the most recent being the railroad matters were rather too radical to fit him for such a place and to have heen greatly relieved when Judge Adamson has served twenty years in the House and was the author of the interstate commerce commission bill and many other famous measures, once of the most recent being the railroad matters were rather too radical to fit him for such a place and to have heen greatly relieved when Judge Adamson has served twenty years in the House and was the author of the interstate commerce commission bill and many other famous measures, once of the most recent being the fit had some and was re-

WARNS BOOMERANG LIES IN EMBARGO Danish Paper Sees Bigger Meat Exports to Germany.

COPENHAGEN, Sept. 20.—The National Tidende reminds the British press that Denmark's neutrality cannot be carried out in the commercial sphere except by dividing Denmark's products among both parties.

If American supplies are stopped Denmark must reduce its stock of cattle, and the paper points out that great quantities of slaughtered animals could not be preserved and there would necessarily be a highly increased export to Germany, thereby helping Germany more than under the previous arrangements.

Draft Have Taken Many
Operators From Service.

Newspapers, financiers and exporters have heard rumors lately of the probability of a war ration service from the transatiantic cable companies. As the number of American soldiers sent abroad increases and the parts played by the American Governments declared they entered the war.

TO STOP STRIKES

Appoints Five Men to Try for Settlement of Labor Troubles in Far West.

Washington, Sept. 20. — President Wison took personal charge to-night of the labor situation in the Far West. The President named a commission, headed by Secretary of Labor Wilson, to start at once for the mountain and Pacific coast States with a view to finding a remedy for the constantly increasing a remedy for the constantly increasing industrial unrest which threatens t industrial unrest which threatens to hamper the war work of the nation.

The disturbances arising from the I. W. W. agitation has caused grave concern to the Administration and the President is determined that they shall be brought to an end. The President also is concerned over the strike of metal workers in the Pacific ports, which has tied up work on ships under construction for the Shipping Board.

The President acted after careful study of a complete report on the I. W. W. agitation submitted by Justice Harry Covington of the District of Columbia Supreme Court. Justice Covington

Supreme Court. Justice Covington made a tour of the Western States and conducted an intensive investigation of labor conditions. His report was submitted to the President several weeks where a copy of the death certificate of Mrs. Bingham is on record, it being part

The President in- a memorandum to

Secretary of Labor Wilson, made public to-night, said:
"I am very much interested in the labor situation in the mountain region and on the Pacific coast. I have liatened with attention and concern to the tened with attention and concern to the numerous charges of misconduct and injustice that representatives both of employers and of employees have made against each other. I am not so much concerned, however, with the manner in which they have treated each other in the past as I am desirous of seeing some kind of a working arrangement arrived at for the future, particularly during the period of the war, on a basis that will be fair to all parties concerned.

"To assist in the accomplishment of that purpose I have decided to appoint a commission to visit the localities where disagreements have been most frequent as my personal representatives.

B. Wilson, Secretary of Labor; Col. J. L. Spangler of Pennsylvania, Verner Z. Reed of Colorado, John H. Walker of Hillinois, and E. P. Marsh of Washingwill not as secretary of the commission. of many years when they had been "It will be the duty of the commission to visit in each instance the Govaid to the State government in the development of a better understanding beemployees in a conciliatory spirit, see to compose differences and allay misun derstanding, and in any way that may be open to them to show the active in-terest of the national Government in

furthering arrangements just to both

"Wherever it is deemed advisable conferences of employers and employees should be called with the purpose of working out a mutual understanding between them which will insure the contined operation of the industry on contined operation of the industry on conditions acceptable to both sides. The commission should also endeavor to sommission should also endeavor to Bingham and whether or not he and Judge Bingham discussed the codicil be-Suggests Conferences. conditions, said: "We are retrenching in the use of labor where ever possible. We have withdrawn our own operators who were not putting in full time at stations operated in newspaper offices and other points where in normal times enough business was to be had to pay the expenses of the station.

"There is a decided shortage in the number of operators available. We are helping in training operators."

ditions acceptable to both sides. The sommission should also endeavor to learn the real causes for any discontent which may exist on either side, not by the formal process of public hearings, but by getting into touch with workmen and employers by the more informal process of personal conversation.

I would be pleased to have the commission report to me from time to time such information as may be information as may be considered.

mission report to me from time to time such information as may require im-mediate attention."

Mr. Prankfurter has been acting as an assistant to Secretary of War Baker.
Chairman Hurley of the Shipping
Board conferred with the general man-ager of a Seattle shipbuilding company,
whose granting of union wage demands has been a strong influence in promot-ing strikes for similar wages in other yards. After other conferences with Seattle builders and labor representatives to-morrow Mr. Hurley expects to

DRIVEN FROM HOME, SHE SAYS. Girl of 13 Asserts She Was Punished for Seeing Movies.

Shoppers coming from a department store at Third avenue and Fifty-ninth street yesterday afternoon saw a little girl standing near the corner. She was crying and the shoppers told Policeman Anna Pensier, 13, of 618 Elizabeth street, Perth Amboy, and that her mother had ordered her to seek another

"I went to a moving picture show Wednesday night without my mother's consent," she sobbed, "and when I same home she told me to get another The girl was sent to the Children's

GIRL KILLS SELF AND CHILD. Passale Wife, Only 18 Years Old

Special Despatch to THE STR Passaic, Sept. 20.—Mrs. Fanny Far-num, 18, was found dead with her two-months-old baby, Eather, in her arms in bors whose curiosity was aroused by the smell of escaping gas. A gas tube had been detached from the stove and had been detached from the stove and held near her mouth.

Despendency supposed to have been caused by the expected birth of a second child is believed to have led the young wife to suicide. George Farnum, the

husband, is employed at the Cooke Loco

GUARDS AT GRAVE OF MRS. BINGHAM

Continued from Pirst Page.

influence, but it was shown that the Judge had accepted the \$5,000,000 inheritance in lieu of dower interest, which, under the local laws would have amounted to \$30,000,000. Helm Bruce, attorney for Mrs. Lewis, says the Lexington despatch, has returned to Louisville from New York, and the understanding is general following his return that the will is to be executed as drawn. The State of Kentucky will seek to collect \$3,000,000 of inheritance tax upon the estate upon the contention that the legal rasidence of the testatrix was in that State.

Relatives Protest Codicil.

With this undergrowth of financial de-With this undergrowth of financial de-tail cleared away by the best advices that might last night be procured by wire the scene shifts back to Wilming-ton, at which place one member of the immediate family of Mrs. Bingham was found yesterday. Mrs. Bingham was a daughter of the late W. R. Kenan of Wilmington, and members of her family, it is charged, have filed a protest in the home town assinst the codicil to the home town against the codicil to the will which makes the \$5,000,000 bequest to Judge Bingham. The members of the Kenan family have maintained the

the Kenan family have maintained the utmost secrecy concerning any plans they may have, and as to the runors that an application will be made for the exhumation of the body for the purpose of holding an autopsy.

Dr. Charles T. Nesbitt, county health officer, was asked for a statement this afternoon in the presence of Graham Kenan, the only relative in Wilmington at present of Mrs. Bingham. He said:

"It is provided by statute that the exhumation of a body contrary to the wishes of relatives or for any purpose that is a violation of the law is considered a felony, and it has been the custom of my office when such request is made from members of the immediate family to grant the order.

Death Certificate Not Recorded. "The most important duty of the Health Officer before granting a permit is to determine whether or not the person whose body is to be exhumed died of any communicable disease. These matters being adjusted satisfactorily the permit to exhume the body is delivered to the undertaker who has the matter in to the undertaker who has the matter in charge, and he in turn takes it to the superintendent of the cemetery, where in his office it remains on file. It has not been the custom to make such exhumation as required by law a matter of record in the Health Department, as the cemetery company is a public service corporation and the records are as carefully kent as in any other branch of

Mrs. Bingham is on record, it being part of the transportation necessary to bring the body from Louisville to Wilmington, that the deceased suffered any communicable disease. If any member of the family of Mrs. Bingham requests at any time the exhuming of the body I know of no circumstance or condition that would deter me from granting the permit."

Guards Employed by Family.

The despatch from Wilmington further ontained the information that the superintendent of Oakdale Cemetery In-sisted that he must have at least twentyfour hours notice before any exhuma work was commenced, and he said that he had not received such notice. The grave is covered with fresh flowers sent daily to the cemetery by members of the Kenan family, and two employed these guards, and has inintrude in the grounds. B. Wilson, Secretary of Labor; Col. J. Intrude in the grounds.

L. Spangler of Pennsylvania, Verner Z.

Reed of Colorado, John H. Walker of Bingham came at the end of a romance illinois, and E. P. Marsh of Washington. Felix Frankfurter of New York Hotel in New York city, after a lapse

HINT OF DRUG CHARGE. they are there as the personal representatives of the President with a view to lending sympathetic counsel and

> Louisville, Ky., Sept. 20.—That rela-tives of Mrs. Robert Worth Bingham in their planned contest of the codicil leavd husband, will endeavor to prove that she was under the influence of druss at the time the document was drawn and at various other times was ndicated at the hearing when the codi-

> Judge Bingham discussed the codicil be-fore it was drawn.
>
> The court transcript of the cross-examination involving these points follows:
> Q. Who first mentioned it to you—the idea of a codicil? A. She did herself.
> Q. Where? A. At her own house.
> Q. When? A. Several days—I should

written. Bingham Was Out of City. Q. Did you discuss the matter with Judge Bingham? A. Judge Bingham was out of the city for those three or Judge Bingham the idea of a codicil to his wife's will? A. I had not. Q. Never up to the time it was finally signed? A. I had not. Q. Do you know what conferences she had, if any, with Judge Bingham? A. What conferences she had with Judge Q. Yes. A. No, I do not know about

immediately after it was signed? She gave it to me, and after the secon third day she asked me to ret or third day she asked me to return it to Judge Bingham, and she did pre-Will Given to Husband. Q. Then what was done with it? A. Judge Bingham kept it, because some few days after that I saw it in his pos-

Q. And where did it remain from that time until her death? A. Judge Bing-ham had possession of it and it re-mained, I suppose, in his safety vault Q. Do you know it was not placed by

Mrs. Bingham with her original will and the proceeding codicil to her original will —why it, was left in Judge Bingham's possession. A. No. She said she wanted to make it a gift to her husband herself.

Q. Why was this codicil to the will not placed with the original will? Why was it left in Judge Bingham's possession? A. She stated to me that she wanted to exercise her rights over her own property and that she did not care for her trustees and for her brother. William, and for her family to have knowledge of everything she did with her own property. That is the only her own property. That is the thing that I know that would be an

swer to your question. Income for Her Husband. Q. Mr. Davies, you spoke of having several conversations with her, I be

lieve, you said, on the subject of this codicil. Was anybody else present on

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the occasion of any of these conversations? A. Nobody else but Mrs. Bingham and myself.

Q. Did you learn from her or from
any source. Judge Bingham or otherwise, the fact that she had offered to
set aside securities upon which he
should receive the income, and that he
had objected and insisted upon being
given the securities themselves? A.
No. sir: I have heard nothing about
that. I heard no discussion of that.
She stated just what I have said, that
she was setting aside securities that
ought to give him an income of about
\$50,000 a year. That was in the winter.

Q. Did she say anything to you about having made a request of him to give her a writing to the effect that these securities should come back to her estate at his death? A. She did not discuss that with me at all—no.

Nothing to Indicate Drugs. Q. Do you know whether or not any medicine or any drug of any kind had been administered to her on the day of

been administered to her on the day of this codicil either hypodermically or otherwise? A. I do not know anything about Dr. Ravitch's treatment, but she had nothing in her manner that would indicate any such thing. That is the only way I could judge. Q. Did you ever hear her speak of receiving hypodermic injections from Dr. Payitch? Dr. Ravitch? A. I have not.
Q. Do you know nothing about that?
A. No. I know nothing about that. That

termed the improper treatment of herhad done for them had given her very great pain and the pain had gone to County Circuit Court in Louisville. The such an extent in the latter part of her wedding was solemnized in New York at life that she told Judge Bingham that his children could not come into her

Question Is Ruled Out. A. P. Humphrey-I object to that. The Court-I hardly think that is competent on this hearing. Let the objection be sustained to that question.

Q. You have been the life long friend of Judge Bingham? A. I have.

Q. You and he were formerly part-ners? A. Yes, sir.

e-tate, the bulk of the property going to Mrs. Bingham's favorite niece, Mrs. Q. How long were you and Mrs. Bing- Louise Wise Lewis, the wife of Laurence ham at Dr. Ravitch's office the day this Lewis. This property included all the instrument was signed? A. I suppose we were there—I should say about three-quarters of an hour. never had been to my office, and during

let this matter remain in secrecy. was part of her wish.

Bingham Away at the Time. Q. Did you ever discuss with Judge get or what he would get or what he

expected to get? A. No, sir, I did not. It was a delicate matter and I remained entirely away from that, and so did Judge Bingham. Q. Where did you say Julge Bingham was when this codical was written? A. He was out of Kentucky. He was down in North Carolina. Q. Did I understand you, Mr. Davies to say that you had never heard Mrs. Binsham speak of receiving treatment

WAS MARRIED HERE.

Mr. Bruce-I believe that is all.

Mrs. Bingham Provided for Hus band in Aute-nuptial Contract. Mrs. Mary Lily Kenan Flagier Bingham was 32 years old when she was married in 1901 to Mr. Flagler, who was then 72. Her husband died in 1913 at his home in Palm Beach, Fla., leaving his widow the bulk of his estate, which has been variously estimated at from is entirely out of my department.

Q. Mr. Davies, did you not know it \$50,000,000 to \$100,000,000. On Novemto be a fact that what Mrs. Bingham ber 15, 1916, Mrs. Flagler was married Ky., formerly Mayor of Louisville and also a former Chancellor of the Jefferson

East Sixty-first street Mrs. Bingham was 48 years old when she died at her home in Louisville on July 27 of this year, just eight months after her marriage to Judge Bingham. When her will was offered for probate in Louisville on August 11 it developed that under a pre-nuptial agreement entered into before their marriage Judge Bingham received \$5,000,000 of the large realty except that mentioned specifically in a few small bequests or vested in trustees under the terms of Mr. Flag-Q. Do you know why she did not come to your office to sign the papers you were preparing for her? A. She and Mrs. J. K. Wise of Wilmington, N. C., and was married on May 3, 1917, to one of these conversations she laugh-lingly said she did not want to go to my office or any lawyer's office, that Lewis was educated in various private she was a woman, as we all know, of schools of New York city, and also at-

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